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U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

June 7, 2021

BY ECF

The Honorable Valerie E. Caproni
Southern District of New York
40 Foley Square
New York, New York 10007

Re: *United States v. Rascarmi Gallimore, 15 Cr. 537 (VEC)*

Dear Judge Caproni:

The Government writes regarding the upcoming conference regarding Rascarmi Gallimore's alleged violation of the conditions of his supervised release. Since receiving the Probation Office's specifications, and since the originally scheduled conference in March of this year, the Government has continued to confer with the Assistant District Attorney for the Bronx District Attorney's Office currently handling the state charges against Gallimore and others. The Government received a copy of the criminal complaint against Gallimore, previously submitted to the Court, and has confirmed that Gallimore and his codefendants have been indicted in state court.

The Government understands from the assigned ADA and Gallimore's federal defense counsel that the Bronx case is proceeding, and that motions are likely to be filed in the case seeking the suppression of evidence. Based on communications with the assigned ADA, the Government further understands that the state court conference previously scheduled June 3, 2021, is now adjourned to August 19, 2021. The ADA has informed the Government that motions in Gallimore's state case are still expected, though not yet filed, and that she anticipates a ruling on any pretrial motions at the time of the August 19 conference.

The Government respectfully requests that the Court adjourn the currently scheduled conference to a date after August 19, 2021. The Government expects that a resolution of the federal supervised release allegations may be aided by additional proceedings and clarity in the state proceedings. The Government has conferred with defense counsel for Gallimore, who concurs in this request.

As previously noted, the defendant's term of supervision expired on March 20, 2021, but the Court has and will maintain jurisdiction to adjudicate the alleged violations because the Court's summons issued on the basis of those allegations prior to expiration. *See* 18 U.S.C. § 3583(i) ("The power of the court to revoke a term of supervised release for violation of a

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condition of supervised release, and to order the defendant to serve a term of imprisonment and . . . a further term of supervised release, extends beyond the expiration of the term of supervised release for any period reasonably necessary for the adjudication of matters arising before its expiration if, before its expiration, a warrant or summons has been issued on the basis of an allegation of such a violation.”).

Respectfully submitted,

AUDREY STRAUSS
United States Attorney

By: /s/ Andrew C. Adams
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Assistant United States Attorney
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cc: Renato Stabile, counsel to the defendant (by ECF)

Application GRANTED. The hearing is adjourned to **August 31, 2021 at 2:00 p.m.** The hearing will take place in person in Courtroom 443. The parties must submit a joint status update by **August 24, 2021.**

SO ORDERED.



6/8/2021

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE